

COMMITTEE ON TRANSPORTATION

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* Strike-everything Amendment
[E] Emergency Clause
[P 108] Proposition 108 Clause

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<u>HB 2100 – Chapter 377 – personalized veteran special license plates</u>			

Allows a request for a Veteran Special Plate to be combined with a request for a personalized special plate and establishes a \$50 initial fee for the plate combination and a \$25 annual renewal fee, with \$17 of the fee serving as a veteran plate annual donation. In addition, it requires that from and after December 31, 2008, the name of the state at the top of license plates cannot be obscured.

HB 2174 – Chapter 188 – photo enforcement; signage

Requires that state agencies and local authorities adopt standards for posting signage and equipment if the agency or local authority is using a *photo enforcement system* to identify persons who violate laws relating to speed limits or traffic control devices.

- Exempts a vehicle that does not contain a photo enforcement system and that is used by a law enforcement officer.
- Exempts a mobile photo enforcement vehicle from adoption of standards and specifications that indicate a photo enforcement system is present and operational during the time a mobile photo enforcement vehicle is deployed on streets with a posted speed limit of 40 MPH or less.

HB 2205 – Chapter 173 – planned communities; utility vehicle parking

Allows a resident to park a motor vehicle on a street or driveway in a planned community (HOA) if the resident is employed by a municipal utility and the vehicle is required to be available at the person's residency for emergency deployment for repair or maintenance of natural gas, electrical or water infrastructure as a condition of the person's employment.

HB 2206 – Chapter 284 – state highway fund bonds

Removes the statutory cap (currently set at \$1.3 billion) on Highway User Revenue Fund (HURF) parity bonds issued by the State Transportation Board and increases the amount of monies subject to pledge for the bond payment for the preceding 12-month period to three times the highest annual principle and interest payment on all outstanding bonds and the bonds issued for the highest one-year period during the life of those bonds.

HB 2207 – Chapter 21 [E] – driver licenses; organ donor information

Provides statutory authority to the Arizona Department of Transportation Motor Vehicle Division (MVD) to transfer information the department received prior to 1996, pertaining to a driver or identification licensee's wish to be an organ donor, to an organ procurement organization that maintains an anatomical gift registry in accordance with Arizona law and that is located in this state.

HB 2208 – Chapter 297 – *motor vehicle accidents; unlawful operations

States that a driver is guilty of *"causing death by use of a vehicle"* if the driver causes death to another person and the driver commits a violation of statutes relating to red lights, stop signs and crosswalks while the driver's license is revoked, suspended under specific circumstances, or was obtained falsely. In addition, it establishes *"causing death by use of a vehicle"* as a class 4 felony and *"causing serious physical injury by use of a vehicle"* as a class 5 felony.

- States that a person is guilty of *"causing death by use of a vehicle"* or *"causing serious physical injury by use of a vehicle"* if the person causes death or serious physical injury to another and all of the following apply:
 1. The person is not permitted to operate a motor vehicle because the person's driver license is revoked, suspended for driving under the influence, implied consent, a prior conviction of driving on a suspended license or suspended for points imposed by the Department.
 2. The driver commits a violation of statutes relating to red lights, stop signs and crosswalks.
 3. The person does one of the following to obtain the license:
 - Knowingly uses a false or fictitious name.
 - Knowingly makes a false statement.

- Knowingly conceals a material fact.
 - Commits fraud.
 - Commits perjury to obtain a driver's license.
- Removes the civil violation and imposes a Class 3 misdemeanor for causing death or serious physical injury involving a moving violation.
- Allows for the collection of up to \$10,000 in restitution in such cases.
- Requires the misdemeanor charge to be dismissed if the person suffering personal injury acknowledges receipt of satisfaction prior to trial or court action. The court must note the satisfaction in the court record, which serves as a bar to prosecution for the same offense.
- Repeals these provisions on December 12, 2011.

HB 2212 – Chapter 63 [E] – *municipal annexation; waiting period

Prohibits a city or town from filling a petition for annexation of territory for a period of at least forty-five days after completion of an unsuccessful prior annexation attempt by the same city or town if any territory from the prior unsuccessful annexation attempt is included in the new petition. Allows a property owner to waive the forty-five day waiting period for their property that was part of the unsuccessful annexation attempt and defines *unsuccessful annexation*.

HB 2322 – Chapter 23 – driving schools; limitation of hours

Limits Defensive Driving School (DDS) training and educational sessions to a combined time of four and one-half hours, including any testing, reviewing and grading related to the DDS training.

HB 2345 – Chapter 205 – commercial driver licenses; motor carriers

Makes several changes to current laws affecting commercial driver licenses and motor carriers.

- Requires the department to immediately cancel the hazardous materials endorsement on the driver's commercial driver license on notification by the Transportation Security Administration that the individual's authorization to hold the endorsement has been terminated.
- Requires that the department disqualify a person from driving a commercial motor vehicle if a person refuses a test of the person's blood, breath, urine or other bodily substance for the purpose of determining alcohol or drug concentration.
- Mandates lifetime license disqualification if a person uses any motor vehicle in the commission of a felony involving the manufacture, distribution or dispensing of a controlled substance or possession with intent to manufacture, distribute or dispense a controlled substance.
- Requires the department to disqualify a person from driving a commercial motor vehicle for three years if the person is found responsible for a second violation of any out-of-service order during any ten year period arising from separate incidents.
- Increases civil penalties for violating out of service orders.
- Imposes a civil penalty of not more than \$10,000 on a motor carrier who knowingly requires or allows a driver to violate any federal, state or local railroad crossing law, ordinance or regulation.
- Specifies that a motor carrier who violates railroad crossing laws is subject to disqualification as currently prescribed in statute.

- Allows the Director to adopt rules establishing a fee for nonresidents operating a foreign vehicle or foreign vehicle combination that will be deposited in the Safety Enforcement and Transportation Infrastructure Fund (Fund), based on the number of axles attached to the foreign vehicle or foreign vehicle combination.
- Defines *foreign vehicle or foreign vehicle combination* as a truck or truck tractor and semi trailer and any trailer that is towed which is registered in a foreign country/jurisdiction of a foreign country and enters Arizona by crossing the border between Arizona and the Republic of Mexico in the furtherance of a commercial enterprise.
- Removes the requirement for monies from the Fund to be spent on the enforcement of vehicle safety requirements by the Department of Public Safety and the ADOT within 25 minutes of the border between Arizona and the Republic of Mexico.
- Allows monies from the Fund to be spent on:
 - ⇒ Costs related to the procurement of electronic equipment/automated systems or improvements to existing electronic equipment/ automated systems for relieving vehicle congestion at the ports of entry on the border between Arizona and the Republic of Mexico.
 - ⇒ A commitment or investment necessary for the ADOT to obtain federal monies.
- Repeals Laws 2003, Chapter 231, relating to prior Fund appropriations.

HB 2387 – Chapter 174 – *Mexico; entry; minors

Enables a city, town or county to adopt an ordinance allowing local law enforcement officers to prevent a minor from entering Mexico. Allows the governing body of a city, town or county to adopt an ordinance to allow a peace officer or sheriff to prevent minors from entering into the Republic of Mexico if the minor is unaccompanied by or does not have the written consent from a parent or guardian. Stipulates that the sheriff or peace officer may only prevent entry and cannot detain the minor. Specifies that this legislation does not limit the authority of a peace officer and hold any city or town criminally or civilly liable for not adopting an ordinance relating to this section of law.

HB 2389 – Chapter 276 – *signs; covering; school bus

Exempts school buses from covering markings indicating that the vehicle is a school bus if any of the following conditions apply: (a) the bus is being driven to or from school for school sponsored academic activities, (b) the school bus is being driven to or from school for school sponsored vocational and technological education, (c) the school bus is being driven to or from school for school sponsored athletic trips or extracurricular activities.

- Removes the criminal penalty for failure to stop for a school bus that is loading or unloading passengers, and replaces the criminal penalty with a civil traffic violation.
- Establishes a minimum civil penalty of \$250, with higher gradations of fines imposed for repeat violators within a 36 month period.
- Places the failure to stop for a school bus into the category of civil traffic violations subject to enhanced civil penalties if death or serious physical injury is involved.

HB 2614 – Chapter 304 – disclosure of personal information; MVD

Enacts the language of the federal Driver Privacy Protection Act (DPPA) in Title 28, Arizona Revised Statutes.

- Prohibits MVD from disclosing personal information or highly restricted personal information unless one of the statutory exemptions applies.
- Allows MVD to disclose personal information for any of the following:
 - ⇒ Motor vehicle or driver safety and theft.
 - ⇒ Motor vehicle emissions.
 - ⇒ Motor vehicle product recalls, alterations or advisories.
 - ⇒ Performance monitoring by motor vehicle manufacturers.
 - ⇒ Removal of non-owner records from manufacturer records.
- Allows MVD to disclose personal information for statutorily specified uses.
- Except for information requests relating to government agencies, courts, law enforcement, civil and criminal proceedings, insurance purposes and commercial driver license purposes, highly restricted personal information cannot be released without a person's express consent.
- States that *express consent* may be conveyed as either (a) a one-time authorization submitted by a requester or (b) general consent or opt in on certain department forms.
- Requires MVD to provide for notice and opportunity to opt-in and provide express consent on certain department forms and requires the department provide notice to the applicant that providing express consent allows the applicant's information to be disclosed.

Bulk Records

- Permits the MVD director to disclose motor vehicle information and personal information in bulk record format.
- Prohibits disclosure of driver histories under the bulk records section.
- Specifies search fees requiring a database search for specific criteria contained within a record.
- Specifies conditions under which a record recipient may re-sell or re-disclose information
- Requires persons reselling or re-disclosing information to keep records identifying each person or entity that receives information and the permitted purpose for which the information will be used for a period of five years.
- Prohibits a person from knowingly obtaining or disclosing personal information or highly restrictive personal information from a motor vehicle record for any use not permitted.
- Prohibits a person from making a false representation to obtain any personal information or highly restrictive personal information from an individual's motor vehicle record.
- Allows civil actions to be brought in a United States district court pursuant to 18 United States Code section 2724, in addition to any criminal penalties or sanctions for violations of this act
- States that the prohibitions regarding the release of personal information shall not in any way affect the use of organ donation information on an individual's driver's license or the administration of organ donation in this state.

Establishes a special assessment equal to the civil penalty for a school crossing traffic violation, if the violation occurs during the time portable signs are in use. Stipulates that the civil penalty for a school crossing violation is doubled when "stop when children are in crosswalk" signs are present. Clarifies that surcharges will not be included in the doubled fine amount. Outlines the court's responsibilities in fee collection and distribution.

HB 2622 – Chapter 287 – *MVD third party fees; retention

Clarifies that when the Arizona Department of Transportation (ADOT) reimburses an authorized third party or third party electronic service provider for an allowable transaction, the reimbursement includes the initial, duplicate, or replacement of the credential. Diverts fees to electronically process Traffic Survival school applications, adds a fee diversion for filing fuel tax reports and electronic funds transfers.

- Requires the department to reimburse a third party or authorized electronic third party service provider two dollars for processing a Traffic Survival School application.
- Prohibits reimbursement for processing applications for crushed vehicles.
- Allows the third party electronic service provider to retain two dollars to process documents electronically in cases where the statutory fee is two dollars or more.
- Empowers the ADOT Director to authorize an electronic third party service provider to process electronic funds transfers for a two dollar fee.
- Adds an electronic third party service provider fee retention of five dollars or one-quarter of one per cent of reported fuel taxes.
- Caps the annual amount the electronic third party service provider may retain for electronic filing of fuel tax reports at \$1.5 million for the first year and \$360,000 for each year thereafter.
- Limits the maximum annual amount a third party may retain as a processing fee for fuel tax reports to \$1,500,000 for the first year and \$360,000 for each subsequent year.
- Increases the bond amount from \$25,000 to \$100,000 for a person who is applying to operate as an authorized MVD third party service provider.
- Exempts an owner or registrant of a fleet of 100 or more vehicles from the bond requirement.
- Removes an ADOT bonded title service company from the list of entities exempted from the third-party bond requirements.

HB 2691 – Chapter 277 – *commercial vehicles; exhaust systems

Requires commercial motor vehicles operating in this state to have a visible exhaust system free from defects or equipped in a way to prevent adverse effects on sound reduction and prescribes a civil penalty of at least \$500 for violation of these requirements. Requires a commercial motor vehicle to be equipped with a muffler or other noise dissipative device.

- Prohibits *cut-outs*, *bypasses* or other similar devices.
- Allows a court to reduce or waive the civil penalty if the person provides evidence to the court of muffler installation or repair.

HB 2727 – Chapter 290 – White Mountain Apache tribe plates

Establishes the White Mountain Apache Tribe, the Arizona Professional Baseball Club and the Families of Fallen Police Officers special license plates.

White Mountain Apache Tribe Special Plate

- Establishes the White Mountain Apache Tribe special license plate if by December 31, 2006, the White Mountain Apache Tribe pays the Department of Transportation \$32,000.
- Requires that if the director allows the above combination, the request shall be in a form prescribed by the director of ADOT and the request is subject to the fees for the personalized special plate in addition to the fees required for a White Mountain Apache Tribe special plate.
- Requires that ADOT deposit all special plate administration fees in the State Highway Fund and transmit all donations collected to the White Mountain Apache Tribe transportation committee.
- Allows the White Mountain Apache Tribe transportation committee to use the monies from the special plate donations only for traffic control devices that conform to the manual on the highways on the White Mountain Apache Tribe reservation that are located in this state and that are not state highways.

Arizona Professional Baseball Club Special Plate

- Authorizes ADOT to issue an Arizona Professional Baseball Club special plate, provided the \$32,000 implementation cost is paid by December 31, 2006.
- Stipulates that the entity providing the \$32,000 must design the special plate, which is subject to approval by ADOT.
- Provides the following stipulations on the fund:
 - ⇒ The first \$32,000 received by the fund is to be used to reimburse the entity that paid the initial implementation costs.
 - ⇒ Not more than 10 percent of the monies deposited in the fund may be used for administering the fund.
 - ⇒ Monies in the fund are to be allocated annually by the director to a private Arizona professional baseball organization's foundation, provided that foundation is a 501 (c) (3) organization as qualified under 501 (c) (3) for federal income purposes.
- Prescribes that the foundation allocate monies to the following:
 - ⇒ Programs relating to youth and education development.
 - ⇒ Housing for the homeless or low-income persons.
 - ⇒ Health care for the indigent.
- Authorizes the State Treasurer, on notice from the director, to invest and divest monies.

Families of Fallen Police Officers Special Plate

- Establishes the Families of Fallen Police Officers Special Plate (FFPOSP) if ADOT receives \$32,000 by December 31, 2006 for costs related to the plate.
- Stipulates that the entity providing the \$32,000 must design the special plate.
- Stipulates that the design and color of the FFPOSPs are subject to ADOT approval.
- Allows the director of ADOT to combine a request for a FFPOSP with a request for a personalized special plate.

- Requires that if the director allows the above combination, the request shall be in a form prescribed by the director of ADOT and the request is subject to the fees for the personalized special plate in addition to the fees required for a FFPOSP.
- States that of the twenty-five dollar fee required for the original special plate and for renewal of the special plate, eight dollars is a special plate administration fee and seventeen dollars is an annual donation.
- Requires that ADOT deposit all special plate administration fees in the State Highway Fund and all donations in the “families of fallen police officers” special plate fund.
- Stipulates that the first \$32,000 received by the fund is to be used to reimburse the entity that paid the initial implementation costs.
- Mandates that not more than ten per cent of the monies deposited in the fund annually shall be used for the cost administering the fund.
- Allows ADOT to allocate monies from the fund to an incorporated nonprofit corporation in the state of Arizona that is qualified under 501(c) (3) for federal income purposes if, the nonprofit corporation demonstrates a commitment to helping in the healing of family survivors of police officers who died in the line of duty in the state of Arizona.

HB 2796 – Chapter 292 – motorized electric; gas powered bicycles

Exempts motorized electric or gas powered bicycles or tricycles from vehicle registration, certificate of title, license tax, and other laws applicable to motor vehicles.

- Exempts a motorized or gas powered bicycle or tricycle from laws relating to required equipment on motorcycles and motor-driven cycles.
- Exempts motorized electric or gas powered bicycles or tricycles from vehicle emissions inspection.
- Permits the operation of motorized electric or gas powered bicycles or tricycles without a driver’s license.
- Allows motorized electric or gas powered bicycles or tricycles to use the right-of-way designated for the exclusive use of bicycles.
- Exempts motorized electric or gas powered bicycles or tricycles from vehicle insurance and financial responsibility requirements.
- Defines *motorized electric or gas powered bicycle or tricycle*.
- Allows a local authority to regulate motorized electric or gas powered bicycles provided they do not enact ordinances requiring registration or licensing.
- Modifies the definition of *neighborhood electric vehicle* to conform to the federal definition to allow six passengers instead of four.

SB 1166 – Chapter 84 – stopping vehicles on highways

Exempts public transportation vehicles from restrictions relating to stopping, standing or parking on a state highway or state route if all of the following apply:

- The local authority has conducted a traffic and engineering investigation. The results of the investigation are approved by the ADOT Director.
- The driver does not leave the vehicle.
- The vehicle is stopped only long enough to load and unload passengers.
- The vehicle engages four-way hazard flashers.
- The roadway has posted speed limit that does not exceed 45 miles per hour.
- The roadway has signed or signalized intersection controls within a jurisdictionally confined boundary.
- The vehicle is clearly marked as a public transportation vehicle. Defines *public transportation vehicle*.
- As determined by the Director in conjunction with the local authority, the operator drives the vehicle into a pullout or uses any other available method that limits the vehicle from interfering with traffic on the roadway.

SB 1181 – Chapter 158 – automobile theft authority: membership: exception

Allows police chiefs, sheriffs and attorneys who are part of the AATA to be represented by their designees and makes changes in the population of counties represented by attorneys. In addition, it requires one county attorney appointed to the AATA to be from Maricopa County.

SB 1218 – Chapter 219 – *escort vehicle

Requires local authorities issuing excess size and weight permits to provide the local authority's ordinances and rules relating to excess size and weight permits to the Arizona Department of Transportation (ADOT) in an electronic format prescribed by the Director. Requires certification and specifies requirements for escort vehicle operators who drive vehicles escorting vehicles requiring an excess size and weight, over-dimensional or envelope permit.

- States that ADOT is immune from liability for relying on and publishing a local authority's ordinances and rules relating to excess size and weight permits that are submitted by the local authority in good faith.
- Specifies that if a local authority does not issue excess size and weight permits governing the movement of excess size and weight vehicles, then ADOT's rules apply.
- States that ADOT must electronically publish the Department's rules relating to excess size and weight permits, envelope permits and over-dimensional permits in the same or similar format used by ADOT to publish the ordinances and rules of local authorities.
- Prohibits a law enforcement officer from issuing a citation or detaining a motor carrier that is traveling on streets or roadways controlled by a local authority if all of the following apply:
 - ⇒ The local authority does not issue excess size and weight permits.

- ⇒ ADOT does not issue an excess size and weight permit for operation on streets and roadways under the local authority's jurisdiction.
- ⇒ The motor carrier is in compliance with ADOT's rules governing the movement of excess size and weight vehicles.
- Clarifies that a law enforcement officer cannot detain or issue a citation to a motor carrier for failure to have an excess size or weight permit if the local authority does not issue permits and a permit cannot be obtained from ADOT for local streets not under the Department's jurisdiction.
- Requires escort vehicle operators to complete an escort vehicle training and certification program.
- Requires the content of the program to meet Commercial Vehicle Safety Alliance or equivalent requirements.
- Specifies repeat training and certification requirements every four years.
- Requires escort vehicle operators to be eighteen years of age, possess a valid driver's license and an escort vehicle operator's certificate.
- Establishes operation of an escort vehicle in violation of law or administrative rules as a civil traffic violation.
- Prohibits the court from sending judgments of escort vehicle operator violations to ADOT.
- Prohibits ADOT from using escort vehicle violations as a reason to suspend or revoke a person's driver's license.
- Exempts law enforcement personnel from escort vehicle certification requirements.
- Specifies that operators of escort vehicles are not responsible for violations committed by the operator or owner of the vehicle they are escorting.
- Renames the Over-dimensional Permit Advisory Council as the Over-dimensional Permit Council.
- Removes the requirement that municipal members of the Over-dimensional Permit Council come from a municipal law enforcement agency.
- Defines *escort vehicle*.
- Allows a person with a certificate issued by another state that authorizes that person to escort vehicles to do so on a highway in Arizona.

SB 1220 – Chapter 220 – vehicle dealer regulations; exceptions

Exempts the owner of a classic car or historic vehicle from motor vehicle dealer licensing requirements if a person is selling a classic car or historic vehicle that was titled in the owner's name prior to December 31, 2005.

SB 1242 – Chapter 296 – traffic ticket enforcement assistance program

Expands the Traffic Ticket Enforcement Assistance Program (TTEAP) to include boating violations and eliminates the \$200 delinquent monetary obligation threshold for refusing vehicle registration renewal.

- Adds the following definitions, unless otherwise required by context:
 - ⇒ Defines *monetary obligations* as fines, fees, penalties, court costs, surcharges, restitution, assessments and penalty enhancements.
 - ⇒ Defines *restitution* as restitution ordered by the court when only one defendant is convicted.
- Requires the Motor Vehicle Division of ADOT to notify all registered owners of a record, by first class mail at the most recent address, of the refusal to renew registration due to a failure to appear or pay a fine by a registered owner.
- Prohibits the court from requiring the person to appear personally in court if the person does not live within the jurisdiction of the court
- Allows a person to petition the court and permits the court to waive its right to request that the Department refuse to renew a vehicle registration if they determine the registered owner is not the person responsible for the alleged violation or failure to appear.

SB 1269 – Chapter 231 – private contractors; vehicle parking; enforcement

Allows a police department to use contractors approved by the municipality for the purpose of issuing citations to violators of vehicle parking ordinances.

- Allows a police department to use municipally approved contractors for the purpose of issuing citations to violators of vehicle parking ordinances.
- Limits the authority of a private contractor to issuing citations for parking violations.
- Prohibits approval of a municipally approved private contractor for parking enforcement purposes who is a relative of an employee or of an elected official of the municipality.
- Specifies that municipally approved private contractors do not have other powers or benefits given to peace officers of this state.
- Prohibits a municipally approved private contractor, employed or contracted by a municipality for the enforcement of ordinances relating to the standing or parking of vehicles from serving any process involving speeding or red light violations detected by photo enforcement.

SB 1274 – Chapter 312 – ignition interlock devices

States a person is guilty of Aggravated Driving Under the Influence (AGDUI) if the person is subject to an Ignition Interlock Device (IID) requirement and the person either: (1) refuses to submit to a law enforcement officer's request for a Blood Alcohol Concentration (BAC) test or (2) commits a Driving Under the Influence (DUI) violation.

- Specifies that committing a DUI while under an IID requirement is a Class 4 felony.
- Establishes refusal to submit to a BAC test while under an IID requirement as a Class 6 felony.
- Adds alcohol screening and education facilities as allowable travel destinations for persons subject to an administrative license suspension for a DUI violation.
- Requires IID installers to report evidence of tampering, circumvention or BACs above the presumptive limit each time the installer obtains the information.
- Imposes a twelve month IID requirement on a DUI offender who commits a subsequent DUI while under an IID order.

SB 1275 – Chapter 271 [E] – *ignition interlock installers; manufacturers; certification

Provides that the inability of a person to obtain manufacturer's design details protected as trade secrets for an approved breath testing device used to measure a person's Alcohol Concentration (AC) does not affect the admissibility of the device's breath test results in any trial, action or proceeding. Requires the Director of the Arizona Department of Transportation (ADOT) to establish rules to certify Ignition Interlock Device (IID) manufacturers and installers.

- Adds the Department of Public Safety (DPS) as an agency able to approve and certify breath testing devices and operators conducting the test.
- Specifies that calibration checks of the device using a standard alcohol concentration solution bracketing each person's duplicate breath test are one type of periodic maintenance records to show the device was in proper operating condition.
- Applies the changes related to breath testing devices and procedures to both OUI and DUI violations.
- Requires IID manufacturers and installers to obtain certification from MVD.
- Requires MVD to notify persons who have an IID that they have thirty days to obtain another IID installer if MVD cancels the certification.
- Allows expenditure of monies from the DUI Abatement Fund to pay for the cost of the notice.
- Requires the ADOT Director to adopt rules for certification, administration and enforcement of regulations pertaining to IID manufacturers and installers.

SB 1445 – Chapter 224 – use fuel taxes; civil penalties

Imposes a civil penalty on persons who purchase use fuel for a commercial motor vehicle but pay the lesser tax imposed on diesel fuel for light class motor vehicles. In addition, the Arizona Department of Transportation (ADOT) cannot deny a refund to a fuel vendor for use fuel tax paid by the vendor at the commercial vehicle rate but sold and taxed at the light class rate.

- Sets the civil penalty at one thousand dollars, or ten dollars for each gallon of use fuel dispensed, whichever is greater.
- Multiplies the civil penalty for second and subsequent violations by the number of prior violations.
- States that in addition to the civil penalty, the person must also pay the difference in the amount of tax due between the light class motor vehicle tax rate and the use class motor vehicle tax rate.
- Prohibits ADOT from imposing any penalty on a vendor for use class fuel purchased at the light class vehicle tax rate if the purchase was discovered through an ADOT inquiry or audit.
- States that a person must "intentionally" purchase diesel fuel at the lower tax rate for use in a motor vehicle required to pay the higher tax rate before ADOT can assess civil penalties.
- Exempts the vendor from the civil penalty provided the vendor is not the owner or operator of the vehicle or conspired with the fuel purchaser to evade the appropriate tax rate.

SB 1560 – Chapter 395 – *DUI; prior offenses

Increases the time period a prior DUI conviction can be used to count as a second or subsequent DUI offense from sixty months to eighty-four months. Requires the court to order at least thirty hours of community restitution for a second DUI or Extreme DUI conviction. Allows a person convicted of Aggravated DUI to apply for a restricted ignition interlock driver's license resulting from the conviction of a DUI offense with a minor in the vehicle.